

## Title 4. Bureau of Home Furnishings and Thermal Insulation

NOTICE IS HEREBY GIVEN that the Bureau of Home Furnishings and Thermal Insulation (hereafter "Bureau") is proposing to adopt regulations establishing a fee schedule to recover laboratory testing and inspection costs as more fully described in the Information Digest below. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at two hearings to be held:

### **NORTHERN CALIFORNIA**

**JUNE 14, 2005**

**10:00 a.m.**

**DCA Hearing Room**

**400 R Street**

**Sacramento, California 95814**

### **SOUTHERN CALIFORNIA**

**JUNE 16, 2005**

**10:00 a.m.**

**So. Coast Air Quality Management Dist.**

**Room CC2**

**21865 E. Copley Drive**

**Diamond Bar, California 91765**

If possible, please notify the Bureau's Contact Person listed on this notice of your intention to attend and present oral testimony at the public hearings. This will allow the Bureau to determine if time limits will be necessary for each attendee's comments. All comments will be accepted regardless of whether or not the Bureau has been notified of a presenter's attendance.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received in the Bureau's office no later than 5:00 p.m. on June 20, 2005 or must be received by the Bureau at the hearings. The Bureau, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 19034 and 19161 of the Business and Professions Code, and to implement, interpret or make specific Sections 19213 and 19213.1, of said Code, the Bureau is considering changes to Title 4, Division 8, of the California Code of Regulations as follows:

### **INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW**

Business and Professions Code section 19213 and 19213.1 authorizes the director to establish a fee rate schedule to cover the costs of testing and inspections necessary to investigate and enforce compliance by its licensees.

1. Adopt Section 1383.7 – This proposed regulation would establish a fee schedule to recover costs of laboratory testing and inspections necessary to investigate and enforce compliance as it relates to sellers or manufacturers of non-compliant products.

### **FISCAL IMPACT ESTIMATES**

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Non-discretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 through 17630 Requires Reimbursement: None

Business Impact: The Bureau has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting California businesses.

Impact on Jobs/New Businesses:

The Bureau has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

Businesses that manufacture, sell, or sanitize non-compliant products in California would be subjected to the following compliance fees:

**Laboratory Fees:**

- 1) Component Testing (Polyurethane Foam, Fabric, Plumage, etc.)- \$200.00 for each component.
- 2) Completed Articles (Upholstered Chair, Sofa, Pillow, Mattress, Insulation Product, etc.)
  - \$300.00- TB 106
  - \$300.00- TB 116
  - \$500.00- TB 133
  - \$500.00- TB 603
  - \$500.00- TB 117
- 3) Inspections
  - \$200.00- Labeling
  - \$500.00- Sanitization

**Inspection Fees:**

\$200.00 for the first identified element of non-compliance  
\$50.00 for each additional element  
\$500 maximum for any one inspection

Effect on Housing Costs: None

Effect on Small Business:

The Bureau of Home Furnishings and Thermal Insulation has determined that the proposed regulations may significantly affect small businesses that manufacture, sell, or sanitize non-compliant products.

**CONSIDERATION OF ALTERNATIVES**

The Bureau must determine that no reasonable alternative that it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearings.

#### INITIAL STATEMENT OF REASONS AND INFORMATION

The Bureau has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based.

#### TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the

Bureau of Home Furnishings and Thermal Insulation  
3485 Orange Grove Avenue  
North Highlands, California 95660.

#### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the web site, [www.bhfti.ca.gov](http://www.bhfti.ca.gov).

#### CONTACT PERSON

Inquiries concerning the proposed administrative action may be direct to:

Name: Sophia Azar, Program Analyst  
Address: 3485 Orange Grove Avenue  
North Highlands, California 95660  
Telephone: (916) 574-0282  
Fax: (916) 574-2043  
E-mail: [Sophia\\_Azar@dca.ca.gov](mailto:Sophia_Azar@dca.ca.gov)

Web Site Address: Materials regarding this proposal can be found at [www.bhfti.ca.gov](http://www.bhfti.ca.gov).